

**REMARKS**

Claims 1-9 are pending in this application. By this Amendment, claim 9 is added.

See the specification at, for example, paragraph [0021].

Reconsideration of the application is respectfully requested regarding claims 1-8 in view of the following remarks.

The Office Action rejects claims 1-8 under 35 U.S.C. §102(a) over Japanese Patent 2001-106580 to Yoshitaka. This rejection is respectfully traversed.

Claim 1 recites a green sheet coating material comprising, among others, a xylene based resin. Yoshitaka does not disclose this feature.

Yoshitaka only discloses the term "xylene" as an organic solvent at paragraph [0028]. However, one of ordinary skill understands that "xylene" is distinct from "xylene based resin" recited in claim 1.

In particular, xylene is known to one of ordinary skill as an organic solvent. In fact, the present application discusses using xylene as an organic solvent in green sheet coating material. See the specification at, for example, paragraph [0044]. However, xylene is not a resin. Thus, Yoshitaka's "xylene" does not disclose "xylene based resin" recited in claim 1.

The Office Action refers to "the international search report" when asserting that Yoshitaka discloses xylene based resin. However, the June 29, 2004 International Search Report only lists Yoshitaka as a Category A reference. The International Search Report merely indicates that Yoshitaka is relevant to claims 1-8 in the corresponding PCT application. The International Search Report does not indicate Yoshitaka as an "X" or a "Y" reference.

Furthermore, the Office Action is required to independently establish a *prima facie* case of anticipation, explaining where each element recited in the claims is disclosed in Yoshitaka. Apparently, the Office Action fails to provide such an explanation to Applicants.

In view of the above, Yoshitaka does not disclose each and every element recited in claim 1. Also, the Office Action fails to establish a *prima facie* case of anticipation. Accordingly, withdrawal of the rejection of claim 1, and claims 2-8, under 35 U.S.C. §102(a) is respectfully requested.

The Office Action provisionally rejects claims 1-8 on the ground of nonstatutory obviousness-type double patenting over claims 1, 2, 12-14 and 16 of copending Application No. 10/550957. This rejection is respectfully traversed.

The asserted claims of the copending application are directed to a green sheet coating material comprising ceramic powder, a butyral based resin and two kinds of solvents. These asserted claims do not contain the subject matter of a xylene based resin as a tackifier. Thus, the subject matter recited in the asserted claims of the copending application is patentably distinct from the subject matter recited in claims 1-8 of the present application.

For at least the above reasons, withdrawal of the provisional rejection of claims 1-8 on the ground of nonstatutory obviousness-type double patenting is respectfully requested.

Claim 9 is believed to be patentable at least in view of the patentability of claim 1, from which it depends, as well as for additional features it recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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